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From: John Mauger [mailto:jmauger22@yahoo.com]

Sent: Thursday, March 31, 2005 10:38 AM

To: MLPAComments@resources.ca.gov

Subject: MLPAComments: Public comments on MLPA Initiative

I wish to comment on the MLPA closure proposals in the following areas:

1. Historical access to the ocean/sea life
2. Constitutional right to access to ocean
3. Personal experience

Historical access

The people of the State of California first arrived, this state possessed a great diversity of abundant sea life. As greater and greater numbers of commercial fisheries and citizens arrived, more pressure was placed on the sea life. As a result, laws were passed placing restrictions on the harvest allowed. These restrictions included size, quantity and length of season to allow the health of the fishery to sustain and grow. The DFG has been successful in implementing necessary restrictions to ensure a healthy fishery. This has resulted in a extremely healthy stock of virtually every type of forage and predator stock of fishery. But, none of these necessary restrictions have denied the public access to non-threatened species by closing off access to vast areas of the ocean. Not to mention that the areas proposed for closure are ALL located in proximity to wealthy beach front property owners (IE Malibu, Monterrey, Laguna Beach, etc.).

Constitutional right to access

The California state constitution includes among it's provisions that no law will be passed that denies access to the ocean by it's citizens. That provision is absolute as is other constitutional rights. The MLPA is nothing more than a end-run around the public right to access to the ocean and the legal take of sea life. This right was established to allow people of limited means to fish for subsistence, allowing their families to be fed with healthy protein and calcium sources of nutrition.

Personal experience

I have fished the ocean for over 55 years. As a young man, my ability to fish from shore or piers was important to provide food for my family. During these years I have seen the mistakes allowed by greedy commercial and public fishermen. I saw how the overfishing of anchovies, sardines and white sea bass, just to name a few, have created havoc on the overall health of the aquatic environment. These past excesses have been corrected by effective management of seasonal closure, size limits, quantity limits. Because of these effective tools, there is a more balanced and abundant sea life than I have seen since the late 1940's. This came to fruition because of sensible management of our fisheries and all achieved WITHOUT CLOSURES OF ACCESS to the ocean.

I would like to close my comments by imploring you to allow the DFG to continue to manage the resources without denial of access to vast areas of the ocean to the most needy and impoverished of California's citizens. This would surly be the result of imposing the closures that are being proposed.

Respectfully submitted,
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